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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,939	01/25/2001	Michael B. Wittig	5366P002	8213
45249	7590	10/21/2004	EXAMINER	
MICHAEL WITTIG				NGUYEN, HANH N
111 SARATOGA AVE. #2326				PAPER NUMBER
SANTA CLARA, CA 95051				2834

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*Supplemental  
Notice of Allowability*

Application No.	Applicant(s)	
09/770,939	WITTIG, MICHAEL B.	
Examiner	Art Unit	
Nguyen N Hanh	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Change of Address form filed on 9/28/2004.
2.  The allowed claim(s) is/are 14-17 and 19-22.
3.  The drawings filed on 08 September 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.              | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

## **DETAILED ACTION**

### ***Remarks***

1. The Notice of Allowability was not received by the Applicant because the change of correspondence address was received after the sending of Notice of Allowability. Therefore, a Supplemental Notice of Allowability is made to fix the problem.

### ***Remarks***

2. In view of amendments, the Examiner withdraws the rejection under 35 U.S.C 112, second paragraph, the rejection under 35 U.S.C 102(b) and the rejection under 35 U.S.C 103(a) to claims 14-23. The cancellation of claims 1-13,18 and 22 has been acknowledged.

## **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- “secondcircular” in line 4 claim 14 should be written as ---second circular---.
- “havingat” in line 14, claim 14 should be written as ---having at---.

### ***Allowable Subject Matter***

4. Claims 14-17 and 19-22 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show an electrical machine with a combination

as follows: a first body; a plurality of magnetic components secured to the body and located in at least first and second circular arrangements having a common axis and magnetic field lines forming across a first gap from each magnetic component of the first arrangement to each magnetic component of the second arrangement, a board in the first gap being of a majority of nonmagnetic solid material, a majority of the magnetic field lines passing through the substantially nonmagnetic material across the first gap; at least one electrical circuit element located on the board in the first gap, the magnetic field lines passing through the electrical circuit element; and at least a first bearing securing the board to the first body to allow the electrical circuit element to rotate along the axis of the bearing relative to the first body, the electrical circuit element having at least first and second electrical paths, the first path having a section located in the gap and extending transverse to the magnetic field lines so that a current therein causes rotation thereof about the common axis, the second path having a section located in the gap and extending transverse to the magnetic field lines so that a current therein causes rotation thereof about the common axis.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (703) 305-3466. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

October 18, 2004

A handwritten signature in black ink, appearing to read "Dangle".

DANGLE  
PRIMARY EXAMINER